

EXHIBIT C

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TITLEMAX OF TEXAS, INC.
TALEISHA LEWIS vs TITLEMAX OF TEXAS

November 03, 2020

1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF TEXAS
3 WACO DIVISION

4 TALEISHA LEWIS,)
5 Plaintiff,)
6 vs.) CIVIL ACTION NO.:
7 TITLEMAX OF TEXAS, INC.,) 6:19-cv-00630-ADA-JCM
8 IVY FUNDING, LLC, PLATE)
9 RECON, LLC DBA PLATE)
LOCATE, AND FCAR, LLC, DBA)
FIRST CALL AUTO RECOVERY &)
TOWING,)
Defendants.)
10

11 ORAL VIDEOCONFERENCE DEPOSITION OF
12 TITLEMAX OF TEXAS, INC.'S REPRESENTATIVE PURSUANT TO
13 RULE 30 (b)(6)

14 NOVEMBER 3, 2020

15 -----

16 ORAL VIDEOCONFERENCE DEPOSITION OF TITLEMAX OF
17 TEXAS, INC.'S REPRESENTATIVE PURSUANT TO RULE 30 (B)(6),
18 produced as a witness at the instance of the PLAINTIFF,
19 and duly sworn, was taken in the above-styled and
20 numbered cause on November 3, 2020, from 12:12 p.m. to
21 1:41 p.m., via Zoom videoconference, before Kimala S.
22 Showers, CSR in and for the State of Texas, reported by
23 machine shorthand, at the residence of Jose Urbaez
24 Codon, in Savannah, Georgia, pursuant to the Federal
25 Rules of Civil Procedure.

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1 A P P E A R A N C E S

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19 ALSO PRESENT:

21 Ms. Marian Martin
22 In-house Counsel for TitleMax of Texas, Inc.

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1 Q. What is the primary purpose of TitleMax's
2 business?

3 A. Again, you're referring to TitleMax of Texas
4 within the state of Texas, correct?

5 Q. That's correct.

6 A. TitleMax of Texas is a credit services
7 organization, within the state of Texas.

8 Q. And what is a credit services organization?

9 A. A credit services organization is a business or
10 person that assists consumers with attaining loans from
11 an unaffiliated third party.

12 Q. Okay. And the loans that it arranges, are they
13 typically smaller loans, say less than \$2,000?

14 A. The amount of the loan can vary.

15 Q. Okay. The majority of the loans, are they less
16 than \$2,000?

17 A. I wouldn't be able to say affirmatively if they
18 are less than \$2,000 because they tend to fluctuate just
19 from area to area.

20 Q. Okay. Is there a maximum amount of loan that
21 TitleMax of Texas will arrange?

22 A. Yes.

23 Q. And what's that maximum amount?

24 A. \$10,100. Pardon --

25 Q. I'm sorry, I spoke over the last part. Can you

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1 given access to any outstanding recoveries. Like,
2 requests that were available.

3 Q. I see. So does TitleMax have, say, a list of
4 vehicles that they want repossessed, and then if
5 somebody sees one of them out in the world, they can
6 just get it and then work on behalf of TitleMax to get
7 that?

8 A. If one of the agents that are -- or vendors
9 that are working within the, for example, Plate Locate
10 system, if they happen to cross a vehicle that we have a
11 request out for, they're able to -- to action on that
12 vehicle.

13 Q. I see. So did TitleMax make a request to
14 repossess the vehicle?

15 A. Yes.

16 Q. Okay. And who did they make that request to?

17 A. If I'm not mistaken, the request was sent out
18 to a third-party vendor named Southwest Collateral.

19 Q. Okay. Was a request sent to Plate Locate?

20 A. A direct request was not sent to Plate Locate,
21 but the request was made available to Plate Locate.

22 Q. What's the difference between direct request
23 versus made available?

24 A. A direct request would be just as it implies, a
25 direct request to that particular vendor, to recover a

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1 specific vehicle. When it's made available to Plate
2 Locate, there are a number of vehicles that have not
3 successfully been recovered, that then Plate Locate is
4 able to view, and their contracted vendors are able to
5 action on.

6 Q. I see. So is it -- when you say made
7 available, it like a standing order to get this if you
8 see it?

9 A. You could categorize it that way, yes.

10 Q. Okay. Is that not how you would categorize it?

11 A. I was agreeing with your --

12 Q. Oh, okay. I just wanted to make sure that I
13 understood you there. So just to check my understanding
14 because, again, I'm not a repossession expert and I'm
15 trying to wrap my head around the process.

16 So for TitleMax to repossess vehicles,
17 there's kind of two tracks. One is TitleMax saying,
18 hey, go get this car. Here's an order, go get it. And
19 then the other track is, hey, here's a list of cars. If
20 you see it out in the world, get it for us.

21 Is that correct?

22 A. That is one way that -- sorry, those are the
23 two ways in which a recovery order gets processed, yes.

24 Q. Okay. So let's kind of dive into that little
25 bit more, just so I understand the process. When we're

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1 was not properly updated within the system, so the
2 system doesn't realize that the vehicle's not really in
3 storage.

4 Q. Okay. So the -- so you said this thing was not
5 updated properly. And it says 198 there because it was
6 not updated properly, right?

7 A. Potentially, yes.

8 Q. Okay. Any idea what that -- what happened 198
9 days before this was generated that would have caused
10 that?

11 A. Can you repeat that? I'm sorry.

12 Q. I'm just wondering if you are aware of what
13 would have caused that to be incorrectly coded like
14 that? Seems like the answer is no. I'll withdraw the
15 question. I can move on.

16 Okay. All right. So now I'm on page
17 TitleMax_000020. Do you see that page?

18 A. I do.

19 Q. Okay, great. And so I'm looking at something
20 that says Repo Status History at the bottom, and it
21 looks like 9/22/17. We see, Out for Repo. Repo Desk
22 User: Alex Bran. Reason: None.

23 Is this when it was first put out there or
24 first made available for repossession?

25 A. It was at this point when the request was

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1 initiated and then subsequently approved, yes.

2 Q. Okay. So that -- you said -- okay.

3 Repo request approved, what does that mean?

4 A. So all orders for repossession -- for recovery
5 have to be approved by a separate authorization desk or
6 a team that reviews all the requests and approves or
7 denies them.

8 Q. Okay. And when in the process of repossession
9 does that approval happen?

10 A. That approval is required on the front end. So
11 that's why you see "New Repo Request" and then
12 "Approved".

13 Q. I see. And so is that something that's just
14 done once?

15 A. That approval is required every time a request
16 is made. So if a request is made numerous times, then
17 numerous approvals would be required.

18 Q. Okay. And in this instance, how many requests
19 were made for repossession of this vehicle?

20 A. One.

21 Q. And that was in -- September 22nd, 2017?

22 A. That is correct.

23 Q. Okay. And so the request was reviewed and
24 approved once in 2017?

25 A. That is correct.

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1 Q. Okay. And what goes into that review to
2 approve a repossession acquiesce?

3 A. The repo approval team, they will review the
4 account information, the vehicle information, to ensure
5 that everything lines up with the parameters that are
6 set in order to approve a -- a recovery. And then if
7 everything checks out, they will approve it.

8 Q. Okay. Are they reviewing title history
9 information?

10 A. The desk will review to ensure that we do have
11 a valid title with lien, yes.

12 Q. Okay. When you say, valid title with lien,
13 just check TitleMax's files to ensure there's a copy of
14 a lien in there, or a title with a lien on it?

15 A. Correct.

16 Q. Okay. They're not querying a national database
17 or anything like that?

18 A. No.

19 Q. Okay. They're not querying the National Motor
20 Vehicle Title Information System?

21 A. No.

22 Q. Okay. All right. Well, I'll continue moving
23 on here to the next page of this TitleMax_000021, and
24 the shows some sort of account history; is that correct?

25 A. This is still in the Repo Systems recovery

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1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

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5 I, Kimala S. Showers, Certified Shorthand Reporter
6 duly commissioned and qualified in and for the State of
7 Texas, do hereby certify that there came before me on
8 the 17th day of November, 2020, at the residence of The
9 Witness, located at 12 Fairgreen Street, Savannah,
10 Georgia, the following named person, to-wit: JOSE
11 URBAEZ CODON, who was duly sworn to testify the truth,
12 the whole truth, and nothing but the truth of knowledge
13 touching and concerning the matters in controversy in
14 this cause; and that he was thereupon examined upon oath
15 and his examination reduced to typewriting under my
16 supervision; that the deposition is a true record of the
17 testimony given by the witness.

18 I further certify that pursuant to FRCP
19 Rule 30 (e) (1) that the signature of the deponent:

20 X was requested by the deponent or a
21 party before the completion of the deposition, and that
22 signature is to be before any notary public and returned
23 within 30 days from the date of receipt of the
24 transcript;

25 _____ was not requested by the deponent or

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1 a party before the completion of the deposition.

2 I further certify that I am neither counsel
3 for, related to, nor employed by any of the parties or
4 attorneys in the action in which this proceeding was
5 taken, and further that I am not financially or
6 otherwise interested in the outcome of the action.

7

8 CERTIFIED TO BY ME on this 16th day of
9 November, 2020.

10
11 *Kimala Showers*
12

13 Kimala S. Showers, Texas CSR 9385
14 Expiration Date: 03/31/2021
15 Firm Registration No. 286
16 Esquire Deposition Solutions
17 1700 Pacific Avenue
18 Suite 1000
19 Dallas, Texas 75201
20 (214) 257-1436
21
22
23
24
25

Vehicle Release Info

Release Date :

Time :

Release To :

**Property Release Info**

Release Date :

Time :

Release To :

**Repo Status History**

Date	Status	Repo Desk User	Store Employee	Reason	Notes
09/22/2017	Out For Repo	Alex Bran	Alex Bran	None	
09/22/2017	Repo Request Approved	Alex Bran	Alex Bran	None	
09/22/2017	New Repo Request	Alex Bran	Alex Bran	None	